IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1643 OF 2007
IN
WRIT PETITION NO. 2087 OF 2004

Deshmukh Baburao Gopal] .. Applicant (Ori.Petnr.)

Versus

1. Shri M.N. Singh & Anr.] .. Respondents (Ori.Respdts.)

Ms. V.S. Mhaispurkar for the applicant/petitioner.

CORAM: S.B. MHASE &
D.G. KARNIK, JJ.

DATED: 05TH OCTOBER, 2007

P.C. :

1. Heard learned counsel for the petitioner. None present for the respondents.

2. For the reasons stated in the Civil Application, Civil Application is allowed in terms of prayer clauses A and B which read thus:

> "A. This Honourable be Court be pleased to set aside the order dated 21.6.2006 passed in the above writ petition whereby the same was dismissed for default.
>
> B. Filing of the Affidavit in support of the petition may kindly be dispensed with."

Sd/- Sd/-

[D.G. KARNIK, J.] **[S.B. MHASE, J.]**